



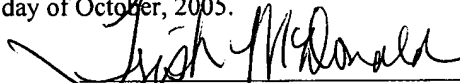
DOCKET NO.: S1446.70000US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schmidtberg et al.
Serial No.: 10/702,099
Confirmation No.: 6804
Filed: November 5, 2003
For: METHODS AND APPARATUS FOR COMMUNICATING
CONDITION INFORMATION ASSOCIATED WITH AN
ITEM
Examiner: Uyen Chau N. Le
Art Unit: 2876

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **Mail Stop RCE**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of October, 2005.


Trish McDonald

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO/SB/08. The order of presentation of the references should not be construed as an indication of the importance of the references.

Search Report and Written Opinions from International Applications

Applicants would like to bring to the Examiner's attention the enclosed search report dated February 22, 2005 and Written Opinion dated August 16, 2005 from International Application No. PCT/US03/35456 (International Filing Date 05 November 2003).

Applicants would also like to bring to the Examiner's attention the enclosed search report dated June 18, 2005 from International Application No. PCT/US03/35457 (International Filing Date 05 November 2003) and the enclosed search report dated April 11, 2005 from International Application No. PCT/US03/35458 (International Filing Date 05 November 2003).

Office Action from U.S. Application Serial No. 10/702,100

Applicants would like to bring to the Examiner's attention the enclosed Office Action dated September 6, 2005 from U.S. Application Serial No. 10/702,100.

Office Action from U.S. Application Serial No. 10/702,101

Applicants would like to bring to the Examiner's attention the enclosed Office Action dated April 8, 2005 from U.S. Application Serial No. 10/702,101.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO/SB/08 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

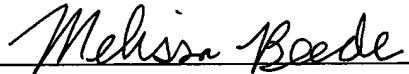
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

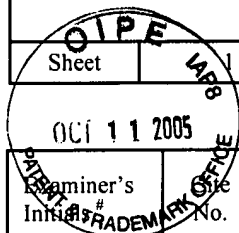
An early and favorable action is hereby requested.

Respectfully submitted,
Schmidtberg et al., Applicant

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Docket No.: S1446.70000US01
Date: October 6, 2005
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FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 10/702,099		ATTY. DOCKET NO.: S1446.70000US01	
		FILING DATE: November 5, 2003		CONFIRMATION NO.: 6804	
		APPLICANT: Schmidtberg et al.			
		GROUP ART UNIT: 2876		EXAMINER: Uyen Chau N. Le	
Sheet 1	of 2				



U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		2002/0153411	A1	Wan et al.	10-24-2002
		2002/0116274		Hind et al.	08-22-2002
		2003/0216969	A1	Bauer et al.	11-20-2003
		2003/0158857	A1	Weng et al.	08-21-2003
		2003/0173403		Volger	09-18-2003
		2003/0144985	A1	Ebert	07-31-2003
		2003/0132854		Swan et al.	07-17-2003
		2003/0033280		Van Den Hamer et al.	02-13-2003
		2003/0072445		Kuhlman et al.	04-17-2003
		4,688,026	A	Scribner et al.	08-18-1987
		4,827,395	A	Anders et al.	05-02-1989
		5,499,017	A	Beigel	03-21-1996
		5,629,981		Virupax M. Nerlikar	05-13-1997
		5,732,401	A	Conway	03-24-1998

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

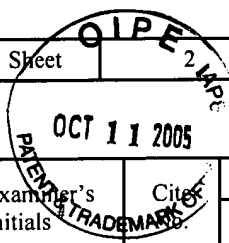
Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 10/702,099	ATTY. DOCKET NO.: S1446.70000US01
		FILING DATE: November 5, 2003	CONFIRMATION NO.: 6804
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		GROUP ART UNIT: 2876	EXAMINER: Uyen Chau N. Le
Sheet 2	of 2		



U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		6,294,997		Paratore et al.	09-25-2001
		6,842,877		Robarts et al.	01-11-2005
		6,843,415		Hartmut K. Vogler	01-18-2005
		6,859,757		Muehl et al.	02-22-2005

FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

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